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8 **UNITED STATES DISTRICT COURT**

9 **for the**

10 **District of New Jersey**

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13 **Soheil Zaerpour,**

14 **Plaintiff,**

15 **-vs-**

16 **Federal Bureau of Investigation,**

17 **Defendant.**
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19
20

Civil Action No. 13-6073(ES)

(Violations of the U.S. Constitution Amendment
I, IV & XIV; 42 U.S.C. § 1983, 1985; 15 U.S.C.
§ 1-7)

**COMPLAINT AND DEMAND FOR JURY
TRIAL**

21
22
23 **I. INTRODUCTION**

24 This complaint seeks to remedy the Federal Bureau of Investigation's failure to act after receiving
25 proof of a major crime, including illegal surveillance of the Plaintiff's online communications, illegal
26 access to his FOREX transactions and manipulation of the global FOREX market in reverse accordingly.

27 The proof of these allegations is in the Plaintiff's legal account statements produced by two
28 independent financial brokers in New York which state factually the time of purchase of the commodity;
29 the market price at that time and the type of transaction (i.e. "buy" or "sell").

30 Simply explained, the market at large was doing the opposite of the Plaintiff's actions - all the
31 time, without discontinuity. The causality between the recorded Plaintiff's actions and the market at large
32 is indisputable, mathematically speaking, where there should be none if there was no conspiracy.

1 In 2002, Plaintiff participated in a global FOREX (Foreign Exchange) real-time trading Contest
 2 for one full year and obtained the best results three times among all participants with a R.O.I. (Return on
 3 Investment) of 30% per month on average; based on six hundred trades in all types of market conditions
 4 and thanks to the Plaintiff's expertise of the FOREX market and economics, the proper use of leverage
 5 and novel risk management techniques.

6 Plaintiff has worked as an Independent Financial Trader from 2002 until 2012. Plaintiff has
 7 successfully developed computer algorithm programs to trade the financial markets automatically by use
 8 of Artificial Neural Networks and other sophisticated computer programs for back-testing but has
 9 refrained from investing real-money since his trades are illegally monitored, as proven by his real-money
 10 accounts; and the fact that the F.B.I. refuses him the protection under the law he is entitled to.

11 Plaintiff has been a volunteer-Teacher in Finance and Entrepreneurship from 2002 until 2006 and
 12 a volunteer-Editor from 2006 until now; with over twenty thousand academic edits and has contributed to
 13 create the equivalent of a reference book on the economy. Plaintiff has been invited by the University of
 14 Oxford to take part in an International Conference in Egypt, with all expenses paid by the University of
 15 Oxford itself.

16 Plaintiff has been a volunteer-Finance Officer with the Civil Air Patrol in New Jersey (i.e. the
 17 United States Air Force Official Auxiliary) since 2008 and a Mission Scanner since 2013 with the grade
 18 of First Lieutenant.

19 Plaintiff is fluent in English, French and Persian and has a good working knowledge of German.
 20 Plaintiff is a U.S. citizen. Plaintiff practices several sports on a regular basis and is in good health as per
 21 his aviation medical certificate. The Plaintiff is a very peaceful citizen with no criminal record. Plaintiff
 22 has no debt either.

23 24 III. DEFINITIONS

25 Several terms or expressions of particular importance will be repeated in the course of this
 26 Complaint. These terms, as used in this Complaint, are defined or explained in the following paragraphs
 27 so that they will be more readily understood in the text:

28
 29 a. The **Foreign Exchange Market (FOREX or currency market)** is a global market for the
 30 trading of currencies. The main participants in this market are the larger international banks. London is by
 31 far the world's biggest market for foreign currency trading, with 41% of global turnover, according to the
 32 Bank for International Settlements. New York has a 19% share, followed by Singapore, Tokyo and Hong
 33 Kong. Switzerland accounts for 3.2% of foreign exchange trading. FOREX rates are unique globally since
 34 any discrepancy would become a riskless arbitrage opportunity.

35
 36 b. The **Opportunity Cost** is defined by the New Oxford American Dictionary as the loss of
 37 potential gain from other alternatives when one alternative is chosen. Opportunity Cost is a key concept in
 38 economics. In the context of this Complaint it refers to the difference between the real-time Contest and
 39 the real-money account results.

40
 41 c. **Instrument rating** refers to the qualifications that a pilot must have in order to fly under I.F.R.
 42 (Instrument Flight Rules). It requires additional training and instruction beyond what is required for a

1 Private Pilot certificate or Commercial Pilot certificate, including rules and procedures specific to
2 instrument flying, additional instruction in meteorology, and more intensive training in flight solely by
3 reference to instruments.

4
5 d. **FINMA** is the Swiss government body responsible for financial regulation. This includes the
6 supervision of banks, insurance companies, stock exchanges and securities dealers as well as other
7 financial intermediaries in Switzerland.

8
9 e. The **London Interbank Offered Rate (L.I.B.O.R.)** is the average interest rate estimated by
10 leading banks in London that they would be charged if borrowing from other banks. At least \$350 trillion
11 in derivatives and other financial products are tied to the L.I.B.O.R.

12 f. The **Central Registration Depository (C.R.D.)** is a database of financial firms and individuals
13 maintained by the United States Financial Industry Regulatory Authority.

14 g. **COINTELPRO** was a series of covert, and at times illegal, projects conducted by the Federal
15 Bureau of Investigation aimed at surveying, infiltrating, discrediting, and disrupting domestic political
16 organizations.

17 18 **IV. JURIDICTION AND VENUE**

19 This Court has jurisdiction over this matter because the Defendant is a Federal Agency of the
20 United States Government and also because the Plaintiff is a citizen of the United States, Switzerland and
21 Iran.

22 Venue is proper because the cause of action stated herein arose in this judicial district. Venue is
23 further proper in this Court because:

24 a. The Defendant resides in Essex County in New Jersey.

25 b. The Plaintiff resides in the county of Passaic in New Jersey.

26 27 **V. STATUTORY BACKGROUND**

28 The Equal Protection Clause of the 14th amendment of the U.S. Constitution prohibits states from
29 denying any person within its jurisdiction the equal protection of the laws.

30 The U.S. Bill of Rights of the U.S. Constitution protects freedom of speech and religion, and
31 guarantees due process.

32 The U.S. Constitution and U.S. Civil Code allow a citizen to sue the government in court in case
33 of deprivation of civil rights by any government agency or group of persons in the U.S. government.

34 The U.S. Constitution and civil laws forbids the invasion of privacy, illegal access to financial
35 records, illegal surveillance of U.S. citizens, illegal monitoring of their communications.

1 According to the U.S. anti-trust law, it is illegal for any cartel to control the financial markets or
2 other market in the United States.

3 Because FOREX is used in U.S. derivatives markets, an attempt to manipulate FOREX is also an
4 attempt to manipulate the U.S. derivatives markets, and thus a violation of American law.

5 Since obligations and other financial products often use FOREX as a reference rate, the
6 manipulation of submissions used to calculate those rates can have significant negative effects on
7 consumers and financial stock and bond markets worldwide, as in the case of the L.I.B.O.R. manipulation
8 involving several major international banks.

9 In 2013, the Swiss authority FINMA in conjunction with the British authorities has launched a
10 probe regarding alleged manipulation of FOREX by several major international banks, including UBS.

11 12 VI. FACTS

13 The F.B.I. has been given undisputable statistical evidence and legal proof through account
14 statements by the Plaintiff since 2005; and legal account statements by two independent Financial
15 Institutions in New York of a major crime; but has refused to investigate or arrest the people who are
16 responsible for it.

17 This crime affects indirectly the citizens of the United States through FOREX. The Plaintiff has
18 provided the F.B.I. with indisputable and verifiable statistical proof of the crime against Plaintiff. The
19 F.B.I. has had no comment or question regarding the allegations since 2006. The Defendant is neither
20 disputing the evidence nor asking for more explanation from the Plaintiff. The Plaintiff has exhausted all
21 administrative venues for a dispute resolution as stated hereafter.

22 Plaintiff has contacted the Southern District Attorney's Office in Manhattan and the F.B.I. in
23 New York in 2005 by registered mail and phone, without any written response or investigation.

24 Plaintiff has contacted the Inspector General of the U.S. Department of Justice and the Inspection
25 Division of the F.B.I. in Washington D.C. in 2005 by mail and phone, since the F.B.I. New York field
26 office was not taking action.

27 The Inspection Division of the F.B.I. in Washington D.C. has told the Plaintiff by phone that it
28 has requested the New York - F.B.I. to review the case and open an investigation. Plaintiff has been told
29 that the New York - F.B.I. has refused to do so. Later, the Plaintiff has been told by the F.B.I. that the
30 person in charge of the dossier at the Inspection Division has left the F.B.I.

31 The F.B.I. in New Jersey has received the complaint and the account statements of the Plaintiff
32 with explanations by registered mail in May 2011. The F.B.I. has not responded at to the Plaintiff nor has
33 taken any action.

34 The F.B.I. has stated initially in 2005 by phone to the Plaintiff that an investigation could take "6
35 months or more...possibly years depending on the case". To date, Plaintiff assumes that absolutely
36 nothing has been done to identify or arrest these criminals.

1 This crime involves the manipulation of the FOREX market which has a daily turnover of over 5
2 trillion U.S. dollars according to the Bank of International Settlements. Plaintiff states that FOREX has
3 been manipulated against him individually, daily for 10 years, to block his progress.

4 According to a survey by EUROMONEY, the biggest FOREX dealers are UBS, Deutsche Bank,
5 Citigroup, Barclays, HSBC, JP Morgan, Royal Bank of Scotland and Credit Suisse.

6 UBS paid a record \$1 billion in December 2012 to settle allegations that it manipulated
7 L.I.B.O.R. Two of the Swiss-based bank's former traders face charges brought by the U.S. Department of
8 Justice over L.I.B.O.R. manipulation. According to the Wall Street Journal, Tom Hayes, one of the
9 traders, is expected to indicate a plea to separate British charges at a court hearing later this month.

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11 **VII. FIRST CAUSE OF ACTION**

12 (Equal protection under the law)

13 The Equal Protection Clause of the 14th amendment of the U.S. Constitution prohibits states from
14 denying any person within its jurisdiction the equal protection of the laws. Facts prove this has not been
15 the case.

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17 **VIII. SECOND CAUSE OF ACTION**

18 (Deprivation of rights and economic tort)

19 42 U.S.C. § 1983 stipulates that any citizen of the United States or other person within the
20 jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution
21 and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding
22 for redress. Facts stated above prove that this has been the case.

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24 **IX. THIRD CAUSE OF ACTION**

25 (Conspiracy to interfere with civil rights)

26 According to 42 U.S.C. § 1985, conspiracy to interfere with civil rights occurs when two or more
27 persons in any State or Territory conspire, for the purpose of depriving, either directly or indirectly, any
28 person or class of persons of the equal protection of the laws, or of equal privileges and immunities under
29 the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory
30 from giving or securing to all persons within such State or Territory the equal protection of the laws.
31 Facts stated above prove this has been the case.

X. PRAYER FOR RELIEF

Pursuant to the First through the Second and Third Causes of Action, grant civil penalties according to proof;

Plaintiff is entitled to relief from Defendant under the above facts.

Plaintiff requests the court to order an investigation. Wherefore, Plaintiff requests judgment against Defendant for damages, together with attorney's fees, if applicable, cost of suit, and any other relief as the court may deem proper.

Dated: October 8, 2013

Respectfully Submitted,



Soheil Zaerpour